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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,706	04/02/2004	Louis J. Petrozziello	REM 1.0-002

000530  
LERNER, DAVID, LITTENBERG,  
KRMHOLZ & MENTLIK  
600 SOUTH AVENUE WEST  
WESTFIELD, NJ 07090

**CONFIRMATION NO. 1196**  
**FORMALITIES LETTER**



\*OC000000013640599\*

Date Mailed: 08/26/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

03/29/2005 NNGUYEN1 00000033 121095 10816706

01 FC:2051 65.00 DA

*A copy of this notice **MUST** be returned with the reply.*

DSH

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 65.00)

**Complete if Known**

Application Number	10/816,706
Filing Date	April 2, 2004
First Named Inventor	Louis J. Petrozziello
Examiner Name	Not Yet Assigned
Art Unit	3679

Attorney Docket No. REM 3.0-002

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 12-1095 Deposit Account Name: Lerner, David, Littenberg, Krumholz & Mentlik, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of  Credit any overpayments  
 fee(s) under 37 CFR 1.16 and 1.17

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description

Each claim over 20 (including Reissues) Fee (\$) 50 Fee (\$) 25  
 Each independent claim over 3 (including Reissues) Fee (\$) 200 Fee (\$) 100  
 Multiple dependent claims Fee (\$) 360 Fee (\$) 180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
_____	- = _____	x _____ = _____		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	
_____	- = _____	x _____ = _____		

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 = _____	/50 _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2051 Surcharge-Late filing fee

65.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	40,592	Telephone	(908) 518-6337
Name (Print/Type)	Michael J. Doherty			Date	March 23, 2005



Whereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 23, 2005      Signature: *Michael J. Doherty*  
(Michael J. Doherty)

Docket No.: REM 3.0-002  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Patent Application of:**  
**Louis J. Petrozzielo**

**Application No.:** 10/816,706

**Group Art. Unit:** 3679

**Filed:** April 2, 2004

**Examiner:** Not Yet  
Assigned

**For:** PROTECTIVE GUARD FOR A FENCE

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**MAIL STOP MISSING PARTS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing please find a Declaration and Power of Attorney in connection with the above-identified application. Please charge our Deposit Account No. 12-1095 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e). Also enclosed is a copy of PTO form entitled "NOTICE TO FILE MISSING PARTS OF APPLICATION."

If the Examiner has any questions concerning this application, he or she is requested to call applicant's attorney at (908) 654-5000. If any additional fees are required by the present communication, the Examiner is hereby authorized to charge them to our Deposit Account No. 12-1095.

Dated: March 23, 2005

Respectfully submitted,  
By *Michael J. Doherty*  
Michael J. Doherty  
Registration No.: 40,592  
LERNER, DAVID, LITTBENBERG,  
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